



PUBLIC NOTICE

Federal Communications Commission
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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST BY MIMOMAX WIRELESS LIMITED FOR WAIVER TO PERMIT PART 90 USE OF A CERTAIN EMISSION DESIGNATOR FOR TELEMETRY RADIOS

WT Docket No. 19-122

Comment Date: May 29, 2019

Reply Comment Date: June 13, 2019

By this *Public Notice*, we seek comment on a request for waiver filed by MiMOMax Wireless Limited (MiMOMax) concerning use of an additional emission designator for Supervisory Control and Data Acquisition telemetry radios.¹ Section 90.207(i) of the Commission's rules specifies emission designators A1D, A2D, F1D, or F2D for telemetry operations.² MiMOMax seeks a waiver of section 90.207(i) to allow deployment of MiMOMax Tornado telemetry radios that employ a Quadrature Amplitude Modulation radio module topology using emission designator W1W.³

MiMOMax designs and manufactures radio equipment for infrastructure application for radio systems. It notes that the Tornado radio already is certified for use under parts 15, 27 and 101. In order to meet the expanding needs of its customer base, MiMOMax seeks certification for part 90 private land mobile radio bands. It notes that section 90.207(i) limits licensees' ability to use the radio system for high-speed telemetry applications for which it was designed and that use of this equipment would facilitate critical infrastructure companies' migration to IP-enabled technologies for remote monitoring and control applications. As a result, MiMOMax requests a waiver of section 90.207(i) to allow certification, licensing, and use of MiMOMax Tornado telemetry radios using W1W digital emissions.⁴

¹ See Letter from Kevin Cookler, counsel to MiMOMax Wireless Limited, to Scot Stone, Deputy Chief, Mobility Division, Wireless Telecommunications Bureau (Sept. 27, 2018).

² See 47 CFR § 90.207(i). The emission designator is a series of alphanumeric characters that denotes the necessary bandwidth, type of modulation, nature of the signal modulating the main carrier, and type of information to be transmitted. See 47 CFR §§ 2.201(b), 2.202(b).

³ W1W is a digital emission consisting of a main carrier modulated, either simultaneously or in a pre-established sequence, in a combination of amplitude, angle, and/or pulse; and the transmitted information is a combination of telegraphy, facsimile, data, and/or voice.

⁴ We note that similar waivers have been granted for other telemetry equipment using an emission designator not listed in section 90.207(i). See *Greg Kunkle*, Letter Order, 30 FCC Rcd 4818 (WTB MD 2015); *ARF Limited*, Order, 29 FCC Rcd 2898 (WTB MD 2014).

Procedural Matters

Interested parties may file comments and reply comments in response to the waiver request on or before the dates listed on the first page of this *Public Notice*. All pleadings must reference WT Docket No. 19-122. Parties may file comments using (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁵

- Electronic Filers: File comments electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.

Send filings by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. Address filings to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- Deliver hand-delivered or messenger-delivered paper filings to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554 between 8:00 AM and 7:00 PM. Use rubber bands or fasteners to hold deliveries together. Dispose of all envelopes before entering the building.
- Send commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) to 9050 Junction Drive, Annapolis Junction, MD 20701.
- Send U.S. Postal Service first-class, Express, and Priority mail to 445 12th Street, SW, Washington DC 20554.

The request, and comments and reply comments filed in response to this Public Notice are available for viewing via the Commission's Electronic Comment Filing System (ECFS), <http://www.fcc.gov/cgb/ecfs>, by entering the docket number appearing on the first page of this *Public Notice*. The documents also will be available for public inspection and copying during business hours in the FCC Reference Information Center, Portals II, 445 12th Street S.W., Room CY-A257, Washington, D.C. 20554. Reference Information Center business hours are available at <https://www.fcc.gov/general/fcc-reference-information-center>

Alternate formats of this *Public Notice* (computer diskette, large print, audio recording, and Braille) are available to persons with disabilities by contacting the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY), or send an e-mail to fcc504@fcc.gov.

This proceeding has been designated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁶ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the

⁵ See *Electronic Filing of Documents in Rulemaking Proceedings*, Report and Order, 13 FCC Rcd 11322 (1998).

⁶ See 47 CFR §§ 1.1200(a), 1.1206.

presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, contact Rodney Conway, Mobility Division, Wireless Telecommunications Bureau at (202) 418-2904 or via email at Rodney.Conway@fcc.gov.

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau.

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